

EATON COUNTY BOARD OF COMMISSIONERS

JULY 17, 2013

**RESOLUTION REQUESTING STATE LEGISLATORS PURSUE ENABLING LEGISLATION
TO PROVIDE EATON COUNTY THE ABILITY TO ACT AS FORECLOSING
GOVERNMENTAL UNIT, UNDER P.A. 206 OF 1893, AS AMENDED (MCL 211.78g)**

Introduced by the Ways & Means Committee

Commissioner Eakin moved the approval of the following resolution. Seconded by Commissioner Augustine.

WHEREAS, on November 17, 1999, the Eaton County Board of Commissioners adopted a "Resolution Electing to Have the State of Michigan Foreclose Property Forfeited to the County Treasurer Pursuant to Subsection 78(3) of Public Act No. 206 of the Michigan Public Act of 1893, as Amended," in order to permit the state of Michigan to foreclose property forfeited to the Eaton County Treasurer, pursuant to Act 206; and

WHEREAS, the provisions of Subsection 78 (3b) of Public Act No. 206 of the Michigan Public Acts of 1893, as Amended, permitted, "At any time during December 2004, the County Board of Commissioners, with the concurrence of the County Treasurer, to rescind" its November 17, 1999 "Resolution Electing to Have the State of Michigan Foreclose Property Forfeited to the County Treasurer Pursuant to Subsection 78(3) of Public Act No. 206 of the Michigan Public Act of 1893, as Amended," so that the County Treasurer thereafter can foreclose property forfeited to the Eaton County Treasurer, pursuant to Act 206; and

WHEREAS, the Board of Commissioners did not pass such a resolution during December 2004 and there are currently no other statutory provisions in effect to allow the County to rescind its prior resolution on this matter; and

WHEREAS, County Treasurer Robert Robinson believes that it is the best interest of the County for the County Treasurer to act as the Foreclosing Governmental Unit, under Public Act 206, as amended, and

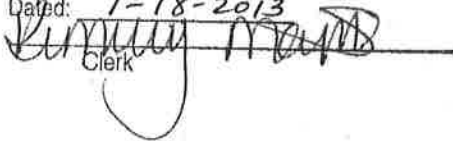
WHEREAS, enabling legislation would be necessary to provide for the authority for the Board of Commissioners to rescind its previous resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, in concurrence with the Eaton County Treasurer, does hereby request that Michigan Senator Rick Jones, and State Representative Mike Callton, with support from State Representative, Theresa Abed, pursue State legislation to enable the Eaton County Board of Commissioners to rescind its November 17, 1999 "Resolution Electing to Have the State of Michigan Foreclose Property Forfeited to the County Treasurer Pursuant to Subsection 78(3) of Public Act No. 206 of the Michigan Public Act of 1893, as Amended," so that the Eaton County Treasurer can thereafter foreclose real property forfeited to the Eaton County Treasurer, pursuant to Act 206. Carried.

COUNTY OF EATON)
STATE OF MICHIGAN) SS

I, Diana Bosworth, Clerk of the Eaton County Board of Commissioners do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board at its meeting held on July 17, 2013 and is on file in the Eaton County Clerk's office.

Dated: 7-18-2013


Clerk



Michigan Association of County Treasurers

William Kendall – Oscoda County Treasurer
President of M.A.C.T.
311 S. Morenci Ave. PO Box 399
Mio, MI. 48647
treasurer@oscodacountymi.com
Phone: 989.826.1113 Fax: 989.826.1138

Rick Brzezinski, 1st V.P.
Holly Moon, 2nd V.P.
Brad Slagh, Secretary
Anne Giroux, Treasurer

May 1, 2013

To Whom It May Concern:

This letter is in support of the Eaton County Treasurer's request to allow the Eaton County Treasurer to "opted-in" as the Foreclosing Governmental Unit and to perform the duties associated with the delinquent tax foreclosure process. Opting in as the Foreclosing Governmental Unit by the County Treasurer keeps the tax foreclosure process local therefore, the Michigan Association of County Treasurers (M.A.C.T.) supports all counties who wish to be "opt-in" counties.

Public Act 123 of 1999 changed the way property was foreclosed upon for non payment of delinquent taxes. It required a petition to be filed in Circuit Court, a title search to be conducted, several first class notices to be sent, a certified notice and a personal site inspection to be done of the properties facing foreclosure. Currently over 70 of Michigan's 83 counties have opted in since the inception of Public Act 123 of 1999.

Ultimately it is the decision of each county in the State of Michigan to determine the direction they wish to take to implement P.A. 123. M.A.C.T. stands behind any decision a county may decide to make but strongly supports all counties whose desire is to "opt-in" to P.A. 123 as the Foreclosing Governmental Unit.

Sincerely,

William Kendall

William Kendall
Oscoda County Treasurer
M.A.C.T. President
PO Box 399
Mio, MI. 48647



RESOLUTION IN SUPPORT OF MICHIGAN COUNTIES' OPTION

TO BE A FORECLOSING GOVERNMENTAL UNIT

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Michigan Department of Transportation

Denise Jackson

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Clinton, Eaton and Ingham

County Chairpersons

EXECUTIVE DIRECTOR

Susan M.C. Pigg, CECD

WHEREAS, the Tri-County Regional Planning Commission serves Clinton, Eaton, and Ingham Counties and the City of Lansing in Michigan with assistance and support in planning land use, transportation, economic development, and environmental protection, and

WHEREAS, from 1999 through 2004 Michigan legislation did provide Counties an opportunity to become a Foreclosing Governmental Unit under PA 123 of 1999 so as to have the capacity to foreclose tax delinquent properties in their County and not cede the property sale to the State of Michigan; and,

WHEREAS, some Michigan Counties did not take advantage of that opportunity during the time it was provided; and

WHEREAS, the State Legislature is now considering legislation that would allow Counties to opt in now to become a foreclosing governmental unit; and

WHEREAS, providing Counties with local control over tax foreclosed properties gives them more ability to manage the properties effectively; now

THEREFORE BE IT RESOLVED, that the Tri-County Regional Planning Commission supports the legislature in enabling Counties who desire to do so to become a tax foreclosing government unit with the powers and abilities provided.



Carol Wood, Chairperson
Tri-County Regional Planning Commission

9/25/13
Date

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Lansing, MI 48911

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Michigan Foreclosure Task Force

1000 S. Washington Ave
Lansing, MI 48910

Monday, May 6, 2013

Dear Eaton County Commissioners:

I am writing to express The Michigan Foreclosure Task Force's (MFTF) enthusiastic support for Eaton County Treasurer Robert Robinson's recommendation that Eaton County become a Foreclosing Governmental Unit (FGU), essentially moving the authority and responsibility for foreclosing on Eaton County properties away from the State of Michigan, back under the local control of Eaton County.

MFTF is a broad-based coalition made up of nearly 200 statewide and local, public and private organizations across the state working to respond effectively to the tax and mortgage foreclosure crisis in Michigan. We are focused on preventing as many foreclosures as possible and softening the impact of those that are unpreventable on families, neighborhoods and communities. We support Eaton County Treasurer Robinson's recommendation because we see becoming a Foreclosure Governmental Unit (FGU) as a critical step in building Eaton County's capacity to respond more effectively to the ongoing foreclosure crisis in its own back yard. As an FGU, the county will have more control over its foreclosure prevention efforts as well as how it disposes of its foreclosed properties. Handling foreclosures locally is also less costly and paves the way for the creation of an Eaton County Land Bank that could make foreclosed properties available for low and modest cost to Eaton County families, businesses, and farmers.

For all these reasons, we encourage you to proceed with becoming a Foreclosing Government Agency and join the other 70 Michigan counties that are already realizing the benefits of this move. If you have any questions or would like to discuss our support further, feel free to contact me.

Sincerely,

Neeta Delaney, Director
Michigan Foreclosure Task Force
delaney@cedam.info
Cell: 517.937.0795



Douglas C. Barcy, Senior Vice President

Public Finance
PNC Bank, N.A.
120 N. Washington Square
Lansing, MI 48933
Phone 517-334-5226
Fax 517-334-5489
Mobile 517-256-4835

writer's email: douglas.barcy@pnc.com

August 8, 2013

Robert Robinson
Eaton County Treasurer
1045 Independence Blvd.
Charlotte, MI 48813

RE: Eaton County – Tax Foreclosures

Dear Mr. Robinson;

PNC Bank has been the purchaser of the Eaton County Delinquent Tax Note for the 2012 and 2013 tax seasons. As a provider of the financing of the Eaton County Revolving Delinquent Tax Fund we have a vested interest in the proper resolution of Tax Foreclosed properties to insure prompt repayment of the Delinquent Tax Notes that we have purchased.

PNC Bank is strongly in favor of Eaton County assuming the role of the tax foreclosing entity for those properties that require the taxes to be foreclosed. It is our belief that Eaton County will do an excellent job in this process and will obtain the best price possible for these properties. It is also our experience that the when the local units of government are the foreclosing entity that they can better preserve or maintain properties to insure maximum values can be obtained.

If you have any questions regarding this please don't hesitate to contact me.

Sincerely

Douglas C. Barcy

Douglas C. Barcy
Senior Vice President
PNC Bank, National Association

